



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Kathleen Clarke
Executive Director

Lowell P. Braxton
Division Director

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July 22, 1999

Chuck Semborski, Environmental Supervisor
Energy West Mining Company
P.O. Box 310
Huntington, Utah 84528

Re: Approval of Phase I Bond Release at the Cottonwood Waste Rock Site, PacifiCorp,
Cottonwood/Wilberg Mine, ACT/015/019-BR98, Folder #2, Emery County, Utah

Chuck
Dear Mr. Semborski:

Phase I bond release for the Cottonwood/Wilberg Waste Rock site (13.81 acres) is approved. This permitting action represents Phase I bond release, but no monies are released.

I have attached the OSM concurrence for this bond release. If you have any questions, please call me or Pamela Grubaugh-Littig.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lowell".

Lowell P. Braxton
Director

tm

Attachment

cc: Jim Fulton, OSM, WRCC

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United States Department of the Interior

OFFICE OF SURFACE MINING

Reclamation and Enforcement

1999 Broadway, Suite 3320

Denver, Colorado 80202-5733

IN REPLY REFER TO:

July 21, 1999

Mr. Lowell P. Braxton,
Division Director
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

RE: Decision Document to Approve Phase I Bond Release at the Cottonwood/Wilberg Mine, Waste Rock Site

Dear Mr. Braxton:

This letter acknowledges the Office of Surface Mining's (OSM) receipt and review of the subject decision document prepared by the Utah Division of Oil, Gas and Mining (DOGM). The proposed bond release area at the waste rock site contains Federal lands. OSM is in agreement with the decision document and hereby provides OSM concurrence to release Phase I bond on 14 acres of the Cottonwood/Wilberg waste rock site in accordance with the Federal regulations at 30 CFR 740.15 (d) (3), and 30 CFR 944.30, Article IX, section B, of the Federal-State Federal lands cooperative agreement.

The decision document thoroughly describes the reclamation history of the waste rock site identifying significant inspection observations which occurred throughout reclamation of the site including backfilling, grading, and revegetation. Beginning in October, 1998, the decision document clearly describes the bond release process milestones DOGM implemented in accordance with Utah Rule R645-301-880 through 880.330. Engineering and hydrological analysis, topsoil replacement analysis, and inspection findings demonstrate compliance with the approved reclamation plan for the site.

DOGM conducted the required bond release inspection on May 13, 1999, and OSM's Denver Field Division (DFD) participated in the inspection. There were no problems noted during the inspection. The United States Department of the Interior, Bureau of Land Management, (BLM) was notified of the bond release inspection and elected not to attend. No public comments were received by DOGM through the advertized comment period. BLM provided DOGM written concurrence dated June 22, 1999, agreeing with the proposed Phase I bond release.



IN REPLY REFER TO:

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Cottonwood/Wilberg Waste Rock Site, pg.2

The permittee, PacifiCorp, has met the requirements for Phase I bond release found at Utah Rule R645-301-800, and DOGM has processed the bond release application in accordance with the applicable Utah rules. OSM understands approximately 13.81 acres (14 acres) are eligible for Phase I bond release at the waste rock site. The surface rock storage area at the site is not included in the release area. OSM understands no release of bond monies has been requested or approved.

Thank you and your staff for coordinating this Federal lands bond release with the DFD. Please address any questions concerning this letter to Henry Austin, Reclamation Specialist, at haustin@osmre.gov or (303) 844-1400 x1466.

Sincerely,

James F. Fulton, Chief
Denver Field Division

cc: Dennis Oakley, PacifiCorp
USDI/BLM/Utah